

## Water Quality Permit and Authorization Fees

The Montana Water Quality Act (MWQA) requires that the Board of Environmental Review adopt rules that are sufficient to recover the cost of issuing permits, licenses, and other authorizations issued by the Department, as well as the administrative costs of operating the program. On November 26, 2001, the board initiated rule-making to amend the Administrative Rules of Montana (ARM) 17.30.201, which is the board's water quality fee rule. This fee rule amendment was necessary to reflect budget adjustments approved by the 2001 legislature. Permit fees have not been amended since originally adopted in 1994. Notices of this increase were sent to more than 800 permit holders and interested parties. The board held a public hearing on January 3 and adopted the proposed rule with minor amendments on January 25, 2002. The amended fee schedules became effective February 15, 2002 and will be used to assess 2002 annual fees for all permit holders, as well as fees for applications received after this date.

Permit fees are assessed in two different categories: application fees and annual fees. Application fees are paid concurrently with the submittal of an application for a new permit or every five years for renewals. These fees cover the cost of reviewing and processing the application, developing effluent limits, and informing the public and other agencies of these activities. The second component of the fee system is the annual fee that covers the cost of administering the permit during its five-year term, including data entry, compliance monitoring and sampling, technical assistance, and inspections.

Both application and annual fees are based on the number of outfalls or discharge points identified in the permit or application. Multiple outfalls are generally required if the wastewater:

- originates from different sources within the facility or site;
- has fundamentally different characteristics (such as process water, domestic wastes, or storm water);
- results in different effluent limits, monitoring requirements, and conditions; or
- is discharged to different receiving waters or watersheds.

Annual fees are assessed based on the number of outfalls and the effluent volume (flow) based on the previous year's discharge data. Annual invoices are prepared by the Department and mailed to permit holders in February. For new applications, the total fee due upon submittal is the sum of the application fee (Schedules I.A- I.C) and annual fee (Schedules III.A and III.B). When appropriate, a fee for authorization to degrade is added to the application fee (Schedule II).

In addition to permit fees, the WQA requires that fees be assessed for section 308 authorizations, which allow the exceedance of state water quality standards for pesticide applications and emergency remedial activities, and section 318 authorizations, which set water quality standards for turbidity.

### Schedule I.A Application Fee for Individual Permits

Category	Amount <sup>(1)</sup>
Publicly owned treatment works – major	\$4,000
Privately owned treatment works – major	\$4,500
Publicly owned treatment works – minor	\$1,000
Privately owned treatment works – minor	\$2,500
Ground water, domestic wastes	\$1,200
Ground water, industrial or other wastes	\$1,500

<sup>(1)</sup> Per outfall, multiple storm water outfalls limited to a maximum of five outfalls.

**Schedule I.B Application Fee for General Permits**

Category	Amount <sup>(1)</sup>
Concentrated animal feeding operation, greater than 1,000 animal units	\$600
Concentrated animal feeding operation, less than 1,000 animal units	\$600
Construction dewatering	\$300
Fish farms	\$300
Produced water	\$450
Suction dredge	\$250
Sand and gravel	\$450
Domestic sewage treatment lagoon	\$500
Disinfected water	\$500
Petroleum cleanup	\$500
Storm water associated with construction, residential (single family dwelling)	\$250
Storm water associated with construction, commercial or public	\$450
Storm water associated with industrial activities	\$500
Storm water associated with mining, oil and gas	\$500
Storm water municipal separate storm sewer system	\$1,500
Ground water remediation or dewatering	\$700
Ground water potable water treatment facilities	\$700
Other general permits not listed above	\$400

<sup>(1)</sup> Per outfall, multiple storm water outfalls limited to a maximum of five outfalls.

**Schedule I.C Application Fee for Other Activities**

Category	Amount <sup>(1)</sup>
Short-term water quality standard, turbidity – “318 authorization”	\$150
Short-term water quality standard, remedial activities and pesticide application – “308 authorization”	\$250
Storm water no exposure certification	\$100
Storm water construction waiver	\$100
Federal Clean Water Act section 401 certification	Varies <sup>(2)</sup>
Review plans and specifications to determine if permit is necessary, pursuant to 75-5-402(2), MCA	½ Applicable Fee
Major amendment	Application Fee
Minor amendment, includes transfer of ownership	\$200

<sup>(1)</sup> Per outfall, multiple storm water outfalls limited to a maximum of five outfalls.

<sup>(2)</sup> Minimum fee is \$350, or 1% of gross value of proposed project, not to exceed \$10,000.

**Schedule II. Review of Authorizations to Degrade**

Category	Amount
Domestic sewage treatment	\$2,500 <sup>(1)</sup>
Industrial activity	\$5,000 <sup>(1)</sup>
Subdivision, 1-9 lots	\$120/lot
Subdivision, 10+ lots	\$200/lot <sup>(2)</sup>

<sup>(1)</sup> Per outfall, limited to a maximum of five outfalls.

**Schedule III.A Annual Fee for Individual Permits**

Category	Minimum Fee <sup>(1)</sup>	Fee Per Million Gallons of Effluent per Day (MGD)
Publicly owned treatment works – major	\$2,000	\$2,500
Privately owned treatment works – major	\$3,000	\$3,000 <sup>(2)</sup>
Publicly owned treatment works – minor	\$1,000	\$2,500
Privately owned treatment works – minor	\$1,000	\$3,000 <sup>(2)</sup>
Privately owned treatment works – minor <sup>(3)</sup>	\$750	\$750
Ground water, domestic wastes	\$750	\$3,000
Ground water, industrial or other wastes	\$1,500	\$3,000 <sup>(2)</sup>

<sup>(1)</sup> Per outfall, multiple storm water outfalls limited to a maximum of five outfalls.

<sup>(2)</sup> Except \$750 per MGD if effluent is noncontact cooling water.

<sup>(3)</sup> Noncontact cooling water only.

**Schedule III.B Annual Fee for General Permits**

Category	Amount <sup>(1)</sup>
Concentrated animal feeding operation, greater than 1,000 animal units	\$600
Concentrated animal feeding operation, less than 1,000 animal units	\$600
Construction dewatering	\$250
Fish farms	\$250
Produced water	\$450
Portable section dredges	\$200
Sand and gravel production	\$450
Domestic sewage treatment lagoon	\$500
Disinfected water	\$450
Petroleum cleanup	\$450
Storm water associated with construction, residential (single family dwelling)	NA
Storm water associated with construction, commercial or public	\$450
Storm water associated with industrial activities	\$650
Storm water associated with mining and oil and gas	\$650
Storm water municipal separate storm sewer system (MS4)	\$650
Ground water remediation or dewatering	\$450
Potable water treatment facilities	\$450
Other general permits, not listed above	\$350

<sup>(1)</sup> Per outfall, multiple storm water outfalls limited to a maximum of five outfalls.